

07/07/03
16563 U.S. PTO

EXPRESS MAIL CERTIFICATE

Date 7/7/03 Label No. 340065095-US

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07278

PATENT TRADEMARK OFFICE

Docket No. 1946/1G906-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William E. BAY; Rajesh K. AGARWAL; Kiran CHAUDHARY; Shingai MAJURU; Michael M. GOLDBERG; and JoAnne P. RUSSO

For: **DISODIUM SALTS, MONOHYDRATES, AND ETHANOL SOLVATES FOR DELIVERING ACTIVE AGENTS**

CONTINUING APPLICATION

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing under 37 C.F.R. 1.53(b) of a continuation application of the following pending prior application:

Serial No. 09/962,794 Filed: September 24, 2001

Of: William E. BAY; Rajesh K. AGARWAL; Kiran CHAUDHARY; Shingai MAJURU; Michael M. GOLDBERG; JoAnne P. RUSSO

For: **DISODIUM SALTS, MONOHYDRATES, AND ETHANOL SOLVATES FOR DELIVERING ACTIVE AGENTS**

Examiner: Paul J. Killos

Group: 1625

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10/615213
07/07/03

This application is a continuation of U.S. Serial No. 09/962,794, filed September 24, 2001, which is a continuation of International Patent Application No. PCT/US00/09390, filed April 5, 2000 and published in English as International Publication No. WO 00/59683, which claims the benefit of U.S. patent application Serial No. 60/127,754, filed April 5, 1999; U.S. patent application Serial No. 60/186,143, filed March 1, 2000; U.S. patent application Serial No. 60/186,142, filed March 1, 2000; and U.S. patent application Serial No. 60/191,286, filed March 21, 2000.

1. Enclosed is a copy of the prior application as originally filed (along with a copy of the original Declaration). No amendments identified in the declaration for this prior application introduced new matter. Please use this copy as the application and declaration for the present case.
2. The filing fee is calculated below:

CLAIMS AS FILED, AFTER ACCOMPANYING AMENDMENT

	Claims on File	Number Extra	Rate
Basic Fee			\$750.00
Total Claims	28 - 20 =	8 x \$18	\$144.00
Independent Claims	4 - 3 =	1 x \$84	\$84.00
If Multiple Dependent Claims Are Present, Add \$280.00			\$0.00
Total Filing Fee			\$978.00

3. A check in the amount of \$978.00 is enclosed

4. A Preliminary Amendment is enclosed.

5. The prior application is assigned to: Emisphere Technologies, Inc.

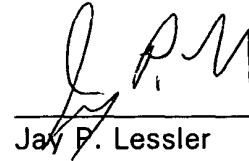
The PTO did not receive the following
listed item(s) ck in the amt of \$978
(PTC Receive - \$ 918)

Docket No. 1946/1G906-US2

6. The Assignment was recorded at Reel 012378 Frame 0316 on November 15, 2001.

Date: July 7, 2003

Respectfully submitted,



Jay P. Lessler

Reg. No. 41,151

Attorney of Record in

Prior Application

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212-527-7700

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